

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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MIGUEL DIAZ,

Petitioner,

-against-

UNITED STATES OF AMERICA,

Respondent.
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25 **CIVIL** 5428 (LJL)

23 **CRIM** 0576-1 (LJL)

JUDGMENT

It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Order dated July 18, 2025, the petition for a writ of habeas corpus, construed as brought under 28 U.S.C. § 2255, is denied without prejudice as prematurely filed. All pending matters are terminated. Because the petition makes no substantial showing of a denial of a constitutional right, a certificate of appealability will not issue. See 28 U.S.C. § 2253. The Court certifies, under 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and, therefore, in forma pauperis status is denied for the purpose of an appeal. See *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

Dated: New York, New York

July 18, 2025

TAMMI M. HELLWIG

Clerk of Court



BY:

Deputy Clerk